

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NEW YORK**

IZZO GOLF, INC.,  
f/k/a Dancorp Investors, Inc.,

Plaintiff,

v.

KING PAR GOLF INCORPORATED  
D/B/A KNIGHT GOLF COMPANY,

Defendant.

Civil Action No.  
02-CV-6012 (CJS)(MWP)

**DEFENDANT'S NOTICE OF MOTION IN SUPPORT OF MOTION TO STAY**

PLEASE TAKE NOTICE that Defendant King Par Golf Incorporated d/b/a Knight Golf Company, by and through their attorneys Nixon Peabody LLP, will move the Court before the Honorable Charles J. Siragusa, U.S. Courthouse, 100 State Street, Rochester, New York 14614, on a date and at time to be set by the Court, for an Order staying the litigation pending the outcome of reexamination proceedings in the U.S. Patent and Trademark Office.

In support of this Motion, Defendant is concurrently filing a Brief in support.

Defendant intends to file and serve reply papers and Plaintiff is therefore required to file and serve opposing papers at least fourteen (14) business days prior to the return date.

Dated this 8<sup>th</sup> day of December, 2009.

Respectfully submitted,

**NIXON PEABODY LLP**

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Attorneys for Defendant  
King Par Golf Incorporated d/b/a  
Knight Golf Company

**CERTIFICATE OF SERVICE**

I hereby certify that on the 8<sup>th</sup> day of December 2009, I electronically filed the foregoing **DEFENDANT'S NOTICE OF MOTION IN SUPPORT OF MOTION TO STAY** with the Clerk of Court using the CM/ECF system, which will automatically send email notification of such filing to the following attorneys of record:

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